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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,109	04/16/2001	Wayne T. Myers	11777.00038	4206
22907	7590	03/31/2005	EXAMINER	
BANNER & WITCOFF 1001 G STREET N W SUITE 1100 WASHINGTON, DC 20001			CHOI, PETER H	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/835,109

Applicant(s)

MYERS ET AL.

Examiner

Peter Choi

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 42 are pending in the application.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show “the results of step 216 are sent to step 212” (page 12 of the specification) as described in the specification. Figure 13 shows step 216 and 212 but does not demonstrate the direct connection of the results of step 216 being sent to step 212 as disclosed in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the

Art Unit: 3623

remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 8, 22, and 36 recites the limitation "projection information". There is insufficient antecedent basis for this limitation in the claim. This term does not appear in any independent claims or in the specification provided by the applicant. It seems illogical to enter project information in a projection information inputting step.

Furthermore, claim 7 discloses inputting project data, whereas claim 8 makes reference to project information. The examiner has determined that data and information are interchangeable terms in the context of the claim. For the purposes of the following art rejection, the examiner has interpreted this phrase to read "project information".

5. Claim 10 recites the limitation "said interface" in line 3. There is insufficient antecedent basis for this limitation in the claim. The interface being referred to does not

Art Unit: 3623

exist in claim 1. For the purposes of the following art rejection, the examiner has interpreted this phrase to read "an interface".

6. Claim 14 recites the limitation "said fields" in lines 2 and 3. There is insufficient antecedent basis for this limitation in the claim. The fields being referred to do not exist in claim 1. However, such fields are disclosed in claims 12 and 13. For the purposes of the following art rejection, the examiner has interpreted these limitations to be a reference to the fields disclosed in claim 12.

7. Claim 24 recites the limitation "said interface" in line 3. There is insufficient antecedent basis for this limitation in the claim. The claim refers to an interface as recited in claim 15, but does not specify which of the four interfaces access is to be restricted to. For the purposes of the following art rejection, the examiner has interpreted this limitation to be applicable to all interfaces disclosed by claim 15.

8. Claim 28 recites the limitation "said fields" in lines 2 and 3. There is insufficient antecedent basis for this limitation in the claim. The fields being referred to do not exist in claim 15. However, such fields are disclosed in claims 26 and 27. For the purposes of the following art rejection, the examiner has interpreted these limitations to be a reference to the fields disclosed in claim 26.

Art Unit: 3623

9. Claim 42 recites the limitation "said fields" in lines 3 and 4. There is insufficient antecedent basis for this limitation in the claim. The fields being referred to do not exist in claim 29. However, such fields are disclosed in claims 40 and 41. For the purposes of the following art rejection, the examiner has interpreted these limitations to be a reference to the fields disclosed in claim 40.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1, 10-15, 24-29, and 38-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolters et al. (U.S Patent #5,826,252).

As per claim 1, Wolters et al. teaches a computer readable medium having computer-executable instructions for performing project review steps comprising:

creating a new project or selecting an existing project [Column 5, lines 66-67];

and

inputting project and project file creator information (form documents, contracts, sales information, equipment specifications, customer data, site specific data) [Column 4, line 64- Column 5, line 7];

Wolters et al. is silent regarding the answering of required project review questions. However, Chance et al. teaches a method for insuring compliance of a regulatory rule set comprising the steps of answering required project review questions (identifying and responding to issues regarding regulatory analysis) [Column 1, lines 56-67]. It is old and well known in the art that projects are constrained by a plurality of limitations (financial, resources, legal, environmental, etc.) that may impede progress or even make such a project infeasible or impractical. It is also common knowledge that a company would analyze such factors in a feasibility analysis before dedicating time, money, and resources to a project. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Wolters et al. to include computer-executable instructions for answering the required project review questions for the reasons discussed above therein.

As per claims 10, 24, and 38, Wolters et al. fails to teach the step of restricting access to an interface. However, it is old and well known in the art that access to information can be restricted using a plurality of means that are old and well known in the art, including, password authentication, limiting access to users on the intranet or users having proper security clearance, Internet security (HTTPS, SSL) protocols, etc. It

Art Unit: 3623

would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Wolters et al. to restrict access to the interface to prevent unauthorized users from tampering with sensitive project information data.

As per claims 11, 25, and 39, Wolters et al. teaches a step of selecting an existing project comprising searching for said existing project (using a Search menu to filter and select project files) based upon project information concerning said existing project that had been previously inputted upon creation of said existing project as a new project in said new project creation step [Column 6, lines 13-15].

As per claims 12, 26, and 40, Wolters et al. fails to teach a searching step comprising inputting information into specific fields set forth on the display to obtain an existing project having information matching said information inputted into said fields. However, it is inherent that, to search for a specific project, some project details or identifiers (project name, project members, schedule, tasks, deliverables, etc.) are necessary to conduct a search query.

As per claim 13, 27, and 41, Wolters et al. fails to teach specific fields comprising a type of work field, a task field, an individual field, and a project number field. However, it is old and well known that these identifier fields are descriptive of universal project details that might be used to identify projects. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Wolters et al. to

include a plurality of descriptive fields to be used in search queries and to categorize projects into similar groupings.

As per claims 14, 28, and 42, Wolters et al. teaches a computer readable medium having a plurality of descriptive fields that include drop down screens (menus) that provide an index to information entered into said fields for existing projects [Column 5, lines 29-31].

As per claim 15, Wolters et al. teaches a project management program written as a customized application of conventional database programs that run on servers, PCs and laptops. The program interface of the system taught by Wolters et al. allows users to interact with the system, and although not specifically taught, it is inherent that user interfaces exist for each component to enable user interaction (creating, viewing, inputting, deleting data, etc.). Wolters et al. is silent regarding the answering of required project review questions. However, Chance et al. teaches a computer readable medium having computer-executable modules/components comprising a fourth (messaging) interface for answering required project review questions (identifying and responding to issues regarding regulatory analysis) [Column 1, lines 56-67, Figure 12B, and Column 19, lines 32-36]. It is old and well known in the art that projects are constrained by a plurality of limitations (financial, resources, legal, environmental, etc.) that may impede progress or even make such a project infeasible or impractical. It is also common knowledge that a company would analyze such factors in a feasibility analysis before

dedicating time, money, and resources to a project. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Wolters et al. to include an interface for answering the required project review questions for the reasons discussed above therein.

As per claim 29, Wolters et al. teaches a computer system having a graphical user interface including a display and a user interface device, a method of providing and selecting from a project review menu on the display, comprising the steps of:

creating a new project or selecting an existing project [Column 5, lines 66-67];
and

inputting project and project file creator information (form documents, contracts, sales information, equipment specifications, customer data, site specific data) [Column 4, line 64- Column 5, line 7];

Wolters et al. is silent regarding the answering of required project review questions. However, Chance et al. teaches a method for insuring compliance of a regulatory rule set comprising the steps of answering required project review questions (identifying and responding to issues regarding regulatory analysis) [Column 1, lines 56-67]. It is old and well known in the art that projects are constrained by a plurality of limitations (financial, resources, legal, environmental, etc.) that may impede progress or even make such a project infeasible or impractical. It is also common knowledge that a company would analyze such factors in a feasibility analysis before dedicating time,

money, and resources to a project. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Wolters et al. to include computer-executable instructions for answering the required project review questions for the reasons discussed above therein.

12. Claims 2-6, 16-20, and 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolters et al. as applied to claim 1 above, and further in view of Chance et al. (U.S Patent #6,654,788).

As per claims 2, 16, and 30, Wolters et al. is silent regarding questions pertaining to externally imposed requirements. However, the method taught by Chance et al. ensures compliance with externally imposed requirements (such as financial trading regulations) [Column 2, lines 5-7]. It would have been obvious to one of ordinary skill in the art at the time of invention to include externally imposed requirements among the required project review questions in order to ensure that the company is complying with all requirements to prevent a plurality of undesirable outcomes (monetary penalties, work stoppages, suspension/annulment of existing licenses and certifications, etc.).

As per claims 3, 17, and 31, Wolters et al. is silent regarding questions pertaining to externally imposed requirements that are promulgated in government regulations and laws. The method taught by Chance et al. ensures compliance with externally imposed requirements but does not specifically teach requirements promulgated in government

Art Unit: 3623

regulations and laws. However, it is common knowledge that the government regulates many aspects of the environment, safety, commerce, etc. and that firms are required to comply with such laws, or else risk penalties (monetary or suspension/annulment of existing licenses and certifications, etc.). It would have been obvious to one of ordinary skill in the art at the time of invention to include internally imposed requirements among the required project review questions in order to ensure that the company is complying with all requirements to prevent a plurality of undesirable outcomes (monetary penalties, work stoppages, suspension/annulment of existing licenses and certifications, etc.).

As per claims 4, 18, and 32, the combined teachings of Wolters et al. and Chance et al. are silent regarding questions pertaining to regulations and laws related to export control. It is common knowledge that a plurality of regulations and laws exist to regulate the importing and exporting of goods. For example, certain embargoed countries are restricted/prohibited from receiving certain goods or technologies. It is also common knowledge that the terms of these regulations and laws are readily available on the Internet and other publicly accessible sources. It is old and well known in the art that companies who import or export goods to other countries are subject to the regulations and laws of the countries where goods are being sent/received and that violation of these regulations and laws would result in penalties (monetary fines or suspension/annulment of existing licenses and certifications, etc.). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combined teachings of Wolters et al. and Chance et al. to include laws related to export

control among the required project review questions in order to prevent a plurality of undesirable outcomes (monetary penalties, work stoppages, suspension/annulment of existing licenses and certifications, etc.), and to ensure that restricted/prohibited goods/technologies are prevented from being received by countries embargoed by the government, etc.

As per claims 5, 19, and 33, Wolters et al. is silent regarding project review questions pertaining to internally imposed requirements. However, the method taught by Chance et al. ensures compliance with internally imposed requirements (such as enterprise policies, press release reviews by various departments, technical paper presentations, employee relations, and employee complains) [Column 2, lines 8-13]. It would have been obvious to one of ordinary skill in the art at the time of invention to include internally imposed requirements among the required project review questions in order to ensure that all internal requirements have been satisfied to prevent a plurality of undesirable outcomes (monetary penalties, work stoppages, suspension/annulment of existing licenses and certifications, etc.), and to ensure that company protocol is being followed.

As per claims 6, 20, and 34, the combined teachings of Wolters et al. and Chance et al. is silent regarding project review questions pertaining to the protection of intellectual property. It is old and well known in the art that new technologies are developed during research and product development or in the pursuit of the

advancement of technology. It is common knowledge that public disclosure of new technologies may preclude companies from obtaining patents, so it would be in a company's best interest to exercise caution in disclosing such technologies. It is common practice for companies to conduct a patentability review before any public disclosure is made, since doing so might reveal an infringement of other patented/trademarked goods, services, or inventions. It is also common practice for companies to require employees to sign non-disclosure agreements that assign the rights to any inventions developed during the duration of their employment to the company and also prohibit employees from disseminating trade secrets to parties outside of the company. It would be advantageous for a company to ensure that all involved parties have signed their non-disclosure agreements, and that company protocol is being followed in determining the patentability and disclosure of inventions. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combined teachings of Wolters et al. and Chance et al. to include project review questions relating to the protection of intellectual property for the reasons discussed above therein.

13. Claims 7-9, 21-23 and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolters et al. as applied to claim 1 above, and further in view of Hughes et al. (U.S Patent #5,893,074).

As per claims 7, 21, and 35, Hughes et al. teaches a computer readable medium having computer-executable instructions for creating a new project comprising inputting project data (name, identification number, delivery date) through a project creation screen (interface) [Figure 6, Column 6, lines 18-24].

As per claims 8, 22, and 36, Hughes et al. teaches a computer readable medium having computer-executable instructions for performing project review steps as recited in claim 7, wherein said project information, entered in said project information inputting step, comprises objective data (of the task), work scope data, (description of work package responsibilities/approach from Figure 6) vendor deliverable data (items that must be delivered for the work package to proceed), schedule data (Current Due Date 115 from Figure 4 and start and projected completion dates), and data defining the project [Figures 4 and 6, and Column 11, lines 40-47].

As per claims 9, 23, and 37, Hughes et al. teaches a computer readable medium having computer-executable instructions for performing project review steps as recited in claim 7, wherein comprising the further step of inputting (contact) information relating to a person responsible for said project (work package leader, responsible section manager, project/task/ manager, users who perform the work) [Figures 4 and 6, and Column 11, line 42].

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Barritz et al. (PG Pub # 2002/0065780) teaches a license compliance verification system and method. Specific data is extracted from data logs and is authenticated to assure licensors that the their licensed properties have been used in compliance with license terms. The system allows users to precheck and verify the information being sent to licensors. The system provides a method for verifying compliance with license conditions. The system also uses a variety of expedients, including authentication and encryption technology.

Gundewar et al. (U.S Patent #6,381,610) teaches a system and method for implementing project procedures. The system comprises a project repository module integrated or associated with a task database, a procedure database, a template database, a policy and standard database, and a guideline database. A process data sheet is included that contains a list of necessary resources needed to complete the process, a list of specific procedures relevant to the process, a list of necessary inputs to the process, a list of process outputs and/or deliverables and entry and exit criteria for the process. The procedure data sheet includes references to a summary of steps and actions associated with the procedure. Procedure database and guideline database refers to particular corporate or industry policies or standards from policy and standard

database associated with the particular procedure that may include definitions or descriptions of terms used in the steps or actions associated with the procedures, further descriptions of categories or evaluation levels to be used when completing a step or action, general user help files or pop-up dialogue boxes containing helpful hints, and any additional standards, documentation, quality assurance and other precautions a user should employ when completing a procedure item that are not immediately obvious from a step or action description.

On April 7, 1998, Sherpa Corporation announced that its Sherpa/IPD application software will provide an effective, efficient solution for complete CDRL (contract data requirements list) management which can be combined with its PDM (product development management) capabilities. When used with Sherpa's PDM@Net, Sherpa/IPD also provides Web-based access for approval, viewing and mark-up, to significantly streamline the entire CDRL process. The news release further reiterates common knowledge that companies that are awarded government contracts are mandated to deliver certain information as part of fulfilling their contract obligation. Information relevant to each of these deliveries, such as content and schedule, are specified in a CDRL.

Cheryl Scott and Penny L. Cass' "GMP, Compliance and Regulatory Resources on the Worldwide Web" lists a plurality of compliance information resources available on the Internet by the government. A thorough list of compliance regulations are listed for

Art Unit: 3623

the biotechnology industry, but compliance regulations exist for other industries that are regulated by the government (environment, security, commerce, etc).

A news brief entitled, "New Software Tracks Producer Data" discloses Innovative IT Solutions Inc.'s announcement of the release of SIRCON.db, an enterprise-wide database that allows insurance companies to maintain compliance and contract information. SIRCON.db helps ensure regulatory compliance, provides better service to producers, improves insurers' business processes and enables carriers to keep key information in sync with both the states and the firms who sell the carriers products.

Jim Conley's "Automating Regulatory Compliance" discloses the need for pharmaceutical companies to adhere to regulatory pressures from the government. Mantra Software has developed a scientific data management system called NuGenesis that systematizes the collection, storage and sharing of scientific data by unifying it into a common electronic format.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Choi whose telephone number is (703) 305-0852. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PC

March 10, 2005



TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600